

REMARKS/ARGUMENTS

Claims 1-20, 22-24, 26 and 27 remain in the application.

Claims 1, 9, 11 and 18 are currently amended.

Claims 2 and 26 are currently cancelled.

5 Interview Statement Under 37 CFR § 1.133

 An interview was convened with between the applicant and examiner wherein the applicant conferred with the examiner regarding wording that would distinguish the apparatus of the present invention from the prior and thereby overcome the rejection. The examiner expressed the opinion that such wording was not readily available to him, yet the examiner expressed the opinion that the present
10 invention is patentable, at least in the manner of construction.

 The examiner kindly agreed to review applicant's suggested wording if forwarded in an email. On two occasions applicant forwarded such language in a draft copy of the instant reply under 37 C.F.R. § 1.111. The examiner has not replied to date. The present response is being filed to avoid further delay and extensions of time.

15 Claim Rejections Under 35 USC § 103

 Claims 1-15 and 26 were rejected under 35 USC § 103(a) over US Patent 2,684,822 to Odin in view of US Patent 6,631,877 to Crain, et al.

 Claims 16-20 and 22-24 were rejected under 35 USC § 103(a) over US Patent 2,684,822 to Odin in view of US Patent 6,631,877 to Crain, et al. and further in view of US Patent 6,685,385 to
20 Ledingham.

 Claim 27 was rejected under 35 USC § 103(a) over US Patent 2,684,822 to Odin in view of US Patent 6,631,877 to Crain, et al. and further in view of US Patent 6,685,385 to Ledingham and further in view of US Patent 5,043,750 to Yamaguchi.

 Claims 1, 9 and 18 are currently amended to clearly limit the scope of the support rod
25 members to only a solitary uniformly continuous solid permanently bendable rod of constant and uniform cross-section and nonextensible length. Such limitation is believed to overcome the complex and multi-part construction of the three lockable telescoping legs 3a, 3b, 3c in the tripod of Odin each connected to a head 1 by a flexible leg member 6 comprising a helical spring member 7 constructed of

spring steel stock which is circular in cross section, over which is wound a secondary winding 8 of soft iron wire which is more or less oval in cross section.

The limitations of amended claims 1, 9 and 18 are also believed to overcome the complex and multi-part construction of the three legs 14 in the tripod 10 of Crain each including a fixed leg member 16, a telescoping leg member 18 and feet 20 with points 22 to help secure the tripod 10 in place.

In each of claims 1 and 18, the transition phrase "consisting of" is substituted for "comprising" in regard to the support rods for limiting the support rods to the construction shown in the application drawings and described in the specification.

In claim 9, the phrase "being limited to only" is substituted for the term "comprising" in regard to the support rods, again to limit the support rods to the construction shown in the application drawings and described in the specification.

The claims now being in form for allowance, reconsideration and allowance is respectfully requested.

If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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